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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,945	01/12/2001	Richard Combs	6873-2	3389

7590 10/08/2004

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West Palm Beach, FL 33402-3188

EXAMINER

JEANTY, ROMAIN

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/759,945	Applicant(s) COMBS ET AL.	
	Examiner Romain Jeanty	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Non-Final Office Action is in response to the Amendment filed January 1, 2001.

Claims 1-55 are pending in the application

Claim Objections

2. Claims 18 and 40 are objected to because of the following informalities: It appears that "fo" was mistyped and should be --of-- instead. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Kane, Jr. et al herein "O'Kane" (U.S. Patent No. 6,366,919) in view of Globuschutz (U.S. Patent No. 5,870,667) and further in view of Miller (U.S. Patent No. 6,742,141)

As per claims 1-11, O'Kane discloses a system for maintaining telecommunication sites comprising:

a service provider selector for selecting a particular service provider to respond to a particular received maintenance and repair event received from a particular communicatively linked building system based on whether said selected service provider is suitable to perform required maintenance and repair on the particular communicatively linked building system (i.e., technicians having respective specialties for performing tasks on equipment on the telecommunication sites) (col. 3, lines 60 through col. 4 line 32.

O'Kane discloses all the limitations above but fails to explicitly disclose a Global Positioning System (GPS) data processor for processing GPS data associated with the communicatively linked service providers, said GPS data corresponding to a geographic position, and the geographic position of the particular service provider relative to the particular building system as reported by GPS data associated with the particular service provider (col. 45, lines 23-44). However, Globuschutz in the same field of endeavor, discloses the idea of assigning a work activity to a provider based on the location of the provider (col. 6, lines 25-44). It would have been obvious to a person of ordinary skill in the art to modify the disclosures of O'Kane to incorporate the teachings of Globuschutz in order to provide maintenance services quickly and efficiently.

Furthermore, the combination of O'Kane and Globuschutz fails to explicitly disclose an event handler for responding to maintenance and repair events received from the communicatively linked building systems. However, Miller discloses a system for automated problem detection, diagnosis, and resolution comprising of an event handler for scheduling a diagnostic or repair problem (col. 9, lines 20-61). It would have been obvious to a person of ordinary skill in the art to modify the disclosures of O'Kane and Globuschutz to include the teachings of Miller with the motivation to monitor, diagnose and solve specific problems.

As per claims 12-55 the combination of O'Kane and Globuschutz teaches detecting a need for service in a building system in a building site; responsive to said detection, automatically selecting a service provider suitable for servicing said building system, said service provider selected from among a plurality of service providers suitable for servicing said building system (see claim 1 above). In addition, O'Kane further discloses providing an

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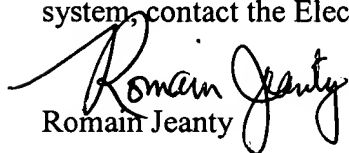
electronic notification of said servicing need over a communications link to said selected service provider; and, monitoring said communications link for an electronic response to said electronic notification (See Fig. 6B, element 128.5 and col. 7, lines 57-62).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (703) 308-9585. The examiner can normally be reached on Mon-Thurs 7:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Romain Jeanty

Primary Examiner

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September 30, 2003.